

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

JEROME JULIUS BROWN,

Plaintiff,

v.

CAPITAL ONE RETAIL, *et al.*,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 1:12-mc-53 (GBL/IDD)

ORDER

THIS MATTER is before the Court on the December 5, 2012 Report and Recommendation of United States Magistrate Judge Davis regarding Plaintiff Jerome Brown's Complaint against Defendants Capital One Retail, Capital One Bank, N.A., Cbre Urban Retail, and Michael Zacharia. (Dkt. No. 3.) Upon consideration of United States Magistrate Judge Davis's findings, no objection having been filed within fourteen days, and upon an independent review of the record, the Court adopts *in toto* the findings of fact and accepts the recommendation of United States Magistrate Judge Davis. (Dkt. No. 3.) Accordingly, it is hereby

ORDERED that Plaintiff's Complaint is **DISMISSED without prejudice** for failure to comply with the July 28, 2010 Standing Order. Plaintiff should be mindful that, pursuant to the Standing Order issued in Action No. 3:10-MC-10, Plaintiff is not permitted to maintain more than one pending action in the United States District Court for the Eastern District of Virginia absent a *bona fide* emergency. It is further

ORDERED that Plaintiff's Motion for Leave to Proceed *in forma pauperis* is **DENIED**.

The Clerk is directed to forward a copy of this Order to counsel of record.

IT IS SO ORDERED.

ENTERED this 23 day of January, 2013.

Alexandria, Virginia

1/23/2013

_____/s/
Gerald Bruce Lee
United States District Judge